

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 8, 1957
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Absent: None

Present also: W. T. Williams, Jr., City Manager, Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. DON BENTON, First Methodist Church, 1200 Lavaca Street.

Councilman White moved that the Minutes of August 1st be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

MR. BERNARD TRAYNOR, representing EARL HAYES RENT-A-CAR, appeared before the Council asking for space at the Airport, and submitting a plan for revising the space now occupied by two other rent-a-car-systems where by it would accomodate the third, and offering to pay for the revision, and offering \$150.00 a month rental. He stated 23 airlines used their service exclusively, and bought it with their tickets. The Council suggested that it might be better to wait until the new Terminal was completed; but in the meantime it would discuss the matter with the two operators now renting at the Airport, and give Mr. Traynor and Mr. Catchings an answer next week. The Mayor asked that the City Manager see if these cars are all registered in Austin. (Earl Hayes local agent for Avis Rent-a-Car.)

MR. JOE NEAL, University of Texas, introduced a group of about 50 foreign students. The Mayor and Council greeted and welcomed the group.

The following ordinance was brought up for its second reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "D" INDUSTRIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT ON A TRACT OF LAND FRONTING APPROXIMATELY 433 FEET ALONG THE NORTH RIGHT OF WAY LINE OF EAST FIFTH STREET, LOCALLY KNOWN AS 5210-5318 EAST FIFTH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White
Noes: Councilman Long, Mayor Miller

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY ESTABLISHING THE BOUNDARIES FOR VARIOUS ORIGINAL USE DISTRICTS AND HEIGHT AND AREA DISTRICTS IN AREAS ANNEXED TO THE CITY OF AUSTIN ON SEPTEMBER 8, 1955, AND TIMES SUBSEQUENT THERETO, EXCEPT AREA 4, WHICH WAS ANNEXED ON DECEMBER 16, 1948; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD SUCH DISTRICTS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council noted that the public hearing on the original zoning of Area 6 (46.44 acres in northwest part of town, -Shepperd, Deason, Barrow, Keller, et al) had been reset from August 22nd, to 11:00 A.M., AUGUST 29, 1957. The Council approved of the resetting.

The City Manager submitted the following:

"July 31, 1957

"From: Paul A. Conrad, Design Engineer To: Mr. W. T. Williams, Jr.,
City Manager
Subject: Feeder Voltage Regulators on 6468X

"Bids were opened July 30, 1957 at 2:00 P.M. for four (4) 500/625 KVA Feeder Voltage Regulators. These bids are tabulated as follows:

<u>BIDDER</u>	<u>MFG.</u>	<u>DELIVERY</u>	<u>UNIT PRICE</u>
Priester Supply Co.	Moloney	11 weeks	\$20,627.00
Westinghouse Elec. Cor.	Westinhouse	16 weeks	\$20,627.00
Southern Elec. Supply Co.	Allis-Chalmers	Oct. 1957 or later	\$20,627.00
Graybar Electric Co.	General Electric	Oct. 1, 1957 or later	\$20,627.00
General Electric Co.	General Electric	Oct. 1, 1957 or later	\$20,627.00

"All bidders quoted net 30 days. Southern Electric quoted a firm price. Westinghouse quoted a firm price for ninety (90) days following any price increase. General Electric and Graybar Electric Company quoted a firm price

for ninety (90) days subject to a 10% escrow for shipment over 90 days, but less than one year. Priester Supply Company quoted a maximum price provided shipment is accepted within six (6) months from date of order. Priester Supply, Graybar Electric Company and General Electric Company quoted FOB Austin, Westinghouse quoted FOB destination, and Southern Electric Supply quoted FOB substation base, stating that the regulator will be set on their foundations in the desired position.

"Southern's delivery date is satisfactory.

"On the basis of delivery to the regulator base at the substation, I recommend that a contract be awarded to Southern Electric Supply Company, a local bidder, for the purchase of four (4) 500/625 KVA regulators at firm price of \$20,627.00 each.

"(Sgd) Paul A. Conrad"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on July 30, 1957, the City of Austin received bids for the purchase by the City of four 500/625 KVA Feeder Voltage Regulators; and,

WHEREAS, an evaluation of the bids received for such equipment shows the unit price of \$20,627.00 of Southern Electric Supply Company, based upon delivery to the regulator base at the substation, to be the best bid; and,

WHEREAS, the acceptance of such bid has been recommended by the Design Engineer of the Electric Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said unit price bid of Southern Electric Supply Company in the sum of \$20,627.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to purchase such equipment for the amount of such unit price bid.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: Councilman Long*

*Councilman Long voting against the motion with the following statement:
"The Council knows it is against my principle to vote for identical bids.
It is wrong, although we may not get any other kind of bids."

The City Manager submitted the following:

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, August 6, 1957, for the construction of Paving Skip Assessment Contract Number 57-A-27, consisting of 15 units:

McKown & Sons	\$6,108.04
Giesen & Latson Const. Co.	6,906.65
Raymond Canion & Co.	6,863.99
"City's Estimate	\$5,687.49

"I recommend that McKown & Sons with their low bid of \$6,108.04 be awarded the contract for this project.

"FROM: S. Reuben Rountree, Jr.
Director of Public Works
DATE: August 6, 1957"

Councilman Palmer, offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 6, 1957, for the construction of Paving Skip Assessment Contract Number 57-A-27, consisting of 15 units; and,

WHEREAS, the bid of McKown & Sons in the sum of \$6,108.04 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of McKown & Sons in the sum of \$6,108.04 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with McKown & Sons.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, August 6, 1957, for the construction of a storm sewer in Shady Lane from Boggy Creek to Gonzales Street and in Gonzales Street from Shady Lane westerly 90 feet - Contract No. 57-D-32.

"Hardin Construction Co.	\$ 8,739.50
Capitol City Utilities	8,812.20
Austin Engineering Co.	9,527.30
Lee Maners	10,262.43
Karl Wagner Engr. Const. Inc.	11,686.25
Joe Bland Const. Co.	13,503.75
City's Estimate	\$11,019.00

"I recommend that Hardin Construction Company with their low bid of \$8,739.50 be awarded the contract for this project.

"DATE: August 6, 1957

"FROM: S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 6, 1957, for the construction of a storm sewer in Shady Lane from Boggy Creek to Gonzales Street and in Gonzales Street from Shady Lane westerly 90 feet - Contract No. 57-D-32; and,

WHEREAS, the bid of Hardin Construction Company in the sum of \$8,739.50 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Hardin Construction Company in the sum of \$8,739.50 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Hardin Construction Company.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain electric easements 5 feet in width were granted and conveyed to the City of Austin by that certain instrument dated June 5, 1948, of record in Volume 914 at page 88 of the Deed Records of Travis County, Texas; said easements traversing Blocks 8 and 10 of Green Acres a subdivision of a portion of the George W. Davis Survey Abstract 217, of record in Book 4 at page 333 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has requested that said electric easements located thereon be released; and,

WHEREAS, the hereinafter described portions of said easements are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release of the electric easements located on the hereinafter described strips of land, to wit:

- No. 1: The east five (5.00) feet of Lot 11, Block 8 of Green Acres;
- No. 2: The west five (5.00) feet of Lot 10, Block 8 of Green Acres;
- No. 3: The east five (5.00) feet of Lot 4, Block 10 of Green Acres; and
- No. 4: The west five (5.00) feet of Lot 3, Block 10 of Green Acres.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"August 6, 1957

"From: A. H. Ullrich, Superintendent To: Mr. W. T. Williams, Jr.
Water and Sewage Treatment City Manager

"Subject: Rebuilding Clarifier at Filter Plant No. 1

"The clarifier equipment at Filter Plant No. 1 which was installed in 1941 is badly in need of repair which will require extensive replacement of parts. The existing equipment was manufactured and furnished by Dorr-Oliver Incorporated.

"I have asked Dorr-Oliver for a quotation on the necessary replacement parts. They have given us a quotation in the amount of \$5,067.00 for replacement of a minimum number of parts (to make the equipment serviceable for a few years); a quotation in the amount of \$8,388.00 for replacement of all worn and corroded parts (to make the equipment as serviceable as new equipment); and a quotation in the amount of \$10,587.00 for replacement of all worn and corroded parts plus the addition of two corner arm assemblies (which we do not believe to be of any particular value to us).

"I have also asked the three chief competitors of Dorr-Oliver in the manufacture of this type of equipment for quotations covering replacement parts. Without exception they have declined to quote, giving as their reason that engineering and other costs to adapt their equipment to the existing equipment would make their prices prohibitive. Their letters are enclosed herewith.

"It is estimated that the cost of completely new clarifier equipment for this installation would be approximately \$16,000.00

"Recommendation:

"It is my recommendation that the Dorr-Oliver quotation in the amount of \$8,388.00, f.o.b. Austin covering the furnishing of replacement parts to make the equipment as serviceable as new equipment be accepted.

"(Sgd) A. H. Ullrich
Superintendent Water and Sewage
Treatment"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Dorr-Oliver clarifier equipment at Filter Plant No. 1, installed in 1941, is badly in need of repair which will require extensive replacement of parts; and,

WHEREAS, after requesting bids on the necessary replacement parts from Dorr-Oliver and three competitors, only one bid was received, that being the bid of Dorr-Oliver in the amount of \$8,388.00, f.o.b. Austin; and,

WHEREAS, the acceptance of such bid has been recommended by the Superintendent of Water and Sewage Treatment and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Dorr-Oliver in the amount of \$8,388.00 f.o.b. Austin for the furnishing of replacement parts be and the same is hereby accepted.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

No action was taken on the bids for tires and tubes.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF ST. JOHNS AVENUE, SAME BEING A STRIP OF LAND FIFTEEN (15) FEET IN WIDTH BEING A PORTION OF BLOCK 13 OF THE H. A. AND J. G. FITZHUGH SUB-DIVISION OF A PORTION OF THE JAMES P. WALLACE LEAGUE SURVEY NO. 57, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has heretofore on the 14th day of June, 1957 entered into a contract with Joe Bland Construction Company for the construction of improvements to the City's public water distribution system across and south of the Colorado River; and,

WHEREAS, because of an emergency created by a break in a twenty-four inch water main where said main crosses the Colorado River, the City's engineers and the City Manager have prepared Change Order No. 1, and recommended that certain changes in the nature of extra work be made in the contract as awarded to said Joe Bland Construction Company, so as to provide for the installation of a new twenty-four inch cast iron, ball and socket type, special submarine pipe upstream from, and for the removal of, the existing twenty-four inch cast iron bell and spigot type water main across the Colorado River upstream from the I.&G.N. Railroad Bridge; and,

WHEREAS, the City Council has considered and desires to approve the execution and delivery of such Change Order by the City Manager; Now Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr. be and he is hereby authorized and directed to execute and deliver to said Joe Bland Construction Company said Change Order No. 1, to be dated August 7, 1957, so as to provide for said extra work in the amount of \$2,576.00 for the removal of the twenty-four inch bell and spigot water main, and \$57,960.00 for the installation of the new ball and socket special submarine water main.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Long moved that MR. FRANK D. QUINN, MR. VIC KORMEIER, MRS. ALDEN DAVIS and MR. NASH MORENO be reappointed as members of the Park and Recreation Board for a two year term ending April 1, 1959. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The City Attorney submitted a request from RICHARD BURGER that the Council authorize another purchaser to buy his land (which lies in the South Belt Loop area) at an appraised value, and then the city purchase it from him at the same price when the right-of-way authorization is made. After discussion, Councilman Long moved that the City Manager be authorized to enter into such a contract whereby this property can be purchased subject to the approval of the Highway Department. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The Mayor announced that the City's tax rate was \$.34 to retire the debts, and \$.62 for the current needs of the City; that it had been held at that now, and the Council was ready to tentatively set the tax rate for next year, at the same amount \$.96. Councilman Long moved that the tax rate be fixed the same as last year. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer Pearson, White, Mayor Miller
Noes: None

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission and were set for public hearing before the Council, September 12, 1957:

JOHNNY TOLL	3710 Thompson Street 1120-22 Springdale Road 1114 Airport Boulevard	From "C" Commercial 6th Height & Area To "C-1" Commercial 6th Height & Area
W. K. DILL, SR.	1200-10 Elm Street 1513-15 West 13th Street 1512-14 West 12th Street	From "B" Residence To "ER" Local Retail
SKYVIEW HOTEL, INC.	6901-35 Interregional Highway	From "C" Commercial 6th Height & Area To "C" Commercial 2nd Height & Area
SKYVIEW HOTEL, INC.	6909-19 Interregional Highway	From "C" Commercial To "C-1" Commercial
SKYVIEW HOTEL, INC.	6909-19 Interregional Highway	From "C" Commercial To "C-2" Commercial
E. L. CARUTHERS	1014-22 East 51st Street 5100-02 Interregional Highway	From "A" Residence 5th Height & Area To "GR" General Retail 5th Height & Area
CARRET CORP.	2512-2522 West 12th Street	From "A" Residence To "B" Residence
HARRY S. WILDER, JR.	1203-1303 Koenig Lane 5800-08 Grover	From "A" Residence To "C" Commercial
LUPE & LUCY RAMERIZ	2337-39 Rosewood Avenue	From "C" Commercial To "C-1" Commercial
DAN McCASKILL	819-821 East 32nd Street 3106-10 Red River	From "A" Residence To "LR" Local Retail
M. J. McCANDLESS	Rear of 2213-2229 Post Road	From "GR" General Retail To "C" Commercial

E. B. MOODY, ET AL	401-07 East 30th Street	From "B" Residence To "LR" Local Retail
LAMAR WELL REALTY CO.	Rear of 1100-20 So. Lamar and 1100-1120 So. Lamar	From "GR" General Retail To "C-1" Commercial From "GR" General Retail To "C-2" Commercial
LAMAR WELL REALTY CO.	5230-40 Burnet Road and 5230-40 Burnet Road	From "C" Commercial To "C-1" Commercial From "C" Commercial To "C-2" Commercial

There being no further business, the Council adjourned at 11:20 A.M.
subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elain Hoosley
City Clerk